

Code of Conduct complaints

Privacy Notice (How we use your information)

The categories of information that we collect, process, hold and share include:

- personal information (such as name(s), address(es), other contact information)
- any personal information disclosed in relation to your specific complaint

Why we collect and use this information

We use this data to:

- enable us to process your complaint
- correspond with you about your complaint

The lawful basis on which we use this information

We collect and use this information for the purposes of carrying out statutory functions under the Localism Act 2011.

Storing this information

We hold this data for 3 years from conclusion of the complaint.

Who we share this information with

We share information with:

- the Councillor/ Parish Councillor against whom the complaint is made
- Members of the Joint Standards Committee
- The Independent Persons appointed by the Borough Council under the Localism Act 2011
- Any person appointed by the Monitoring Officer to investigate the complaint
- The relevant Parish Council clerk

Why we share this information

We share data with the above persons in accordance with our adopted Code of Conduct, which has a statutory basis under the Localism Act 2011. This data sharing enables us to process and determine your complaint.

In exceptional circumstances, it may be appropriate to keep your identity confidential. The Monitoring Officer, in consultation with the Independent Person(s) and Chairman and Vice-Chairmen of the Joint Standards Committee, will balance whether the public interest in accepting the complaint outweighs your wish to have your identity (or that of another person) withheld from the Councillor against whom the complaint is made. If the Monitoring Officer decides to refuse your request for confidentiality, they will offer you the option to

withdraw your complaint. Further details on this can be found in the Council's adopted arrangements for dealing with standards complaints at <https://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution/articles/standards-committee>

Public Hearing

In the event that your complaint proceeds to an investigation and a hearing before the Joint Standards Committee, details of your complaint (including personal data about yourself and any other witnesses e.g. name and other personal data relevant to the complaint) may be published as part of the papers for the hearing panel. The proceedings of the panel may also take place in public, with the decision notice published on the Council's website.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information please contact Adrian Stanfield, the Council's Data Protection Officer at foi@tmbc.gov.uk.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Further information

If you would like further information about this privacy notice, please contact Adrian Stanfield, the Council's Data Protection Officer at foi@tmbc.gov.uk.

The Council collects and uses personal information for a number of purposes across all of its departments and functions. To find out more about how the Council uses the personal information it collects, please refer to the Corporate Privacy Notice <https://www.tmbc.gov.uk/privacy-notice>